

Our regulation of social housing in Scotland

Consultation questions

We welcome your general feedback on our proposals as well as answers to the specific questions we have raised. You can read our consultation paper on our website at www.housingregulator.gov.scot
Please do not feel you have to answer every question unless you wish to do so.

Send your completed questionnaire to us by **15 December 2023**.

By email @: regulatoryframeworkreview@shr.gov.scot

Or post to: Scottish Housing Regulator
2nd floor , George House
36 North Hanover Street, G1 2AD

Name/organisation name

Argyll Community Housing Association

Address

Menzies House		
Glenshallach Business Park		
Oban		
Postcode PA34 4RY	Phone 0800 0282755	Email corporateservices@acha.co.uk

How you would like your response to be handled

To help make this a transparent process we intend to publish on our website the responses we receive, as we receive them. Please let us know how you would like us to handle your response. If you are responding as an individual, we will not publish your contact details.

Are you happy for your response to be published on our website?

Yes No

If you are responding as an individual ...

Please tell us how you would like your response to be published.	Pick 1
Publish my full response, including my name	<input type="checkbox"/>
Please publish my response, but not my name	<input type="checkbox"/>

1. Do you agree with our proposed approach on specific assurance in Annual Assurance Statements?

We agree that the statutory guidance should be amended to include provisions on specific assurance which may change from year to year and that requests for any areas of specific assurance will be communicated to landlords by the end of April each year. In our response to the discussion paper we noted that, in general, we feel that the self-assurance process is very time consuming for Board members when carried out properly and there is significant overlap between some of the Standards which leads to repetition when carry out the self-assurance process. We note that a formal consultation on the ARC indicators will be carried out next year and welcome a comprehensive review in order that the indicators remain relevant and also to reduce repetition and overlap in terms of carrying out the self-assurance process.

2. Do you agree with our proposal to initiate a comprehensive review of the Annual Return on the Charter which we will consult on next year?

Yes, see above comments

3. Do you agree with our proposed amendments to strengthen the emphasis on landlords listening to tenants and service users to include a requirement that landlords:
- provide tenants, residents and service users with appropriate ways to provide feedback and raise concerns, and
 - ensure that they consider such information and provide quick and effective responses?

We agree with this approach and note that this is something that most landlords are likely to already have in place.

4. Do you agree with our proposed approach to Notifiable Events?

Yes

5. Do you agree with our proposed approach to regulatory status?

Yes

6. Do you agree with our proposed approach to Significant Performance failures?

Yes, further clarity for tenants is welcome. We note that the term 'significant performance failure' is referred to in Chapter 5, paragraph 5.8 and suggest that this is amended to 'serious concerns' to be consistent.

7. Do you agree with our proposed changes to the guidance on *Annual Assurance Statements*?

Yes

8. Do you agree with our proposed changes to the guidance on *Consultation where the Regulator is directing a transfer of assets*?

Yes

9. Do you agree with our proposal to maintain *the Determination* at this time?

Agree with the proposal to maintain the Determination at this time apart from the point set out below.
The following change is included in the draft Determination at section 7 True and fair view "7.1 The statement of financial position shall give a true and fair view of the state of affairs of the RSL

as at the end of the reporting period and the disposition of funds and assets which it holds, or has held, in connection with its housing activities". The proposed additional text as underlined "and the disposition of funds and assets which it holds, or has held, in connection with its housing activities" is not necessary as a statement of financial position which did not set out the "the disposition of funds and assets which it holds, or has held, in connection with its housing activities" would not be presenting a true and fair view.

In terms of simplifying the regulatory landscape is the Determination required at all. If RSLs are required to comply with the "Statement of Recommended Practice (SORP): Accounting by Registered Social Landlords" would it not be more straight forward for that requirement simply to be stated in the Determination. That would avoid any potential gaps/duplication/misalignment or concern over timing of changes to either the Determination or SORP.

10. Do you agree with our proposed changes to the guidance on *Determination of what is meant by a step to enforce a security over an RSL's land*?

Agree

11. Do you agree with our proposal to maintain the guidance on *Financial viability of RSLs*?

Agree

12. Do you agree with our proposed changes to the guidance on *Group structures*?

Yes

13. Do you agree with our proposed changes to the guidance on *How to request an appeal of a regulatory decision*?

Yes

14. Do you agree with our proposal to maintain the guidance on *How to request a review of a regulatory decision*?

Yes

15. Do you agree with our proposed changes to the guidance on *Notifiable events*?

Yes

16. Do you agree with our proposed changes to the guidance on *Preparation of financial statements*?

Agree

17. Do you agree with our proposal to maintain the guidance on *Section 72 reporting events of material significance*?

Yes

18. Do you agree with our proposed changes to the guidance on *Tenant consultation and approval*?

Yes

19. Would you like to give feedback on any aspect of our impact assessments? Are there other potential impacts that we should consider?

No

Thank you for taking the time to give us your feedback!